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UNITED STATES DEPARTMENT OF COMMERCE
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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/761,593 | 01/21/2004 | Lee-Hwei K. Sun | 02SUN2001-A |

The SUN Law Office PLLC
4212 Villanova Street
Houston, TX 77005-3529



CONFIRMATION NO. 3775
FORMALITIES LETTER



OC000000012225559

Date Mailed: 03/31/2004

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

05/14/2004 MBLANCO 00000003 502980 10761593

01 FC:2202 63.00 DA
02 FC:2203 145.00 DA

Filing Date Granted

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d). Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$208** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$208** for a Small Entity

- Total additional claim fee(s) for this application is **\$208**

- **\$63** for 7 total claims over 20.
- **\$145** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

CH
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants Lee-Hwei K. SUN et al Attorney Docket No. 02SUN2001-A
Application No. 10/761,593 (CIP of 09/932,812) Filed on January 21, 2004
Art Group 1653 Examiner not assigned
For Fc FUSION PROTEIN OF HUMAN ERYTHROPOIETIN
WITH HIGH BIOLOGICAL ACTIVITIES

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**Response to Notice to Comply with Requirements for Patent Applications Containing
Nucleotide Sequence and/or Amino Acid Sequence Disclosures**

Sir:

This communication is prepared in response to the Notice dated March 31, 2004.

Applicants submit herewith

- a paper copy of the revised computer readable form (CRF) of the sequence listing
- a diskette containing the same
- a copy of the Notice

The content of the sequence listing information recorded in computer readable form is identical to the written sequence listing on paper as herein submitted. No new matter is added. Applicants respectfully request that the Commissioner enter this revised Sequence Listing into the application as submitted.

The Commissioner is hereby authorized to charge \$208 additional claim fees to Deposit Account No. 50-2980 maintained by The SUN Law Office PLLC. It is believed that there are no other fees due. However, the Commissioner is hereby authorized to charge any additional fees associated with this application or refund any credits to the same account hereinabove.

May 12, 2004

Respectfully submitted,

Hsiang-ning Sun
Attorney for Applicants
Registration No. 39849
Customer Number 000041282
4212 Villanova Street
Houston, Texas 77005-3529
(713)-666-8819 (Telephone)
(713)-665-5230 (Fax)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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P A T E N T & T R A D E M A R K O F F I C E*

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|-----------------|--------------------------------|---------------------|------------------|
| Applicants | Lee-Hwei K. SUN et al | Attorney Docket No. | 02SUN2001-A |
| Application No. | 10/761,593 (CIP of 09/932,812) | Filed on | January 21, 2004 |
| Art Group | 1653 | Examiner | not assigned |

For **Fc FUSION PROTEIN OF HUMAN ERYTHROPOIETIN
WITH HIGH BIOLOGICAL ACTIVITIES**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to Notice to Comply with Requirements for Patent Applications Containing
Nucleotide Sequence and/or Amino Acid Sequence Disclosures

COMMENTS

This paper is filed in response to the Notice dated March 31, 2004. Included herewith are the following:

- a paper copy of the revised computer readable form (CRF) of the sequence listing
- a diskette containing the same
- a copy of the Notice

Nucleotide Sequence and/or Amino Acid Sequence Disclosures

On May 6, 2004, Applicants' attorney had a conversation with Mr. Mark Spencer regarding the content of the computer readable form (CRF) as originally filed. Mr. Spencer made several suggestions. He also left a voice mail later that day for additional suggestions. The CRF is modified according to the conversation and Mr. Spencer's suggestions. Applicants appreciate the help provided by the Commissioner's Office in this matter.

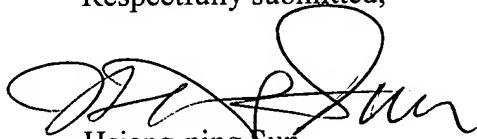
Applicants submit herewith a copy of the revised computer readable form (CRF) of the sequence listing and a diskette containing the same. A paper copy of the revised Sequence Listing is also provided herewith. The content of the sequence listing information recorded in computer readable form is identical to the written sequence listing on paper as herein submitted.

No new matter is added. Applicants respectfully request that the Commissioner enter this revised Sequence Listing into the application as submitted. A copy of the Notice is enclosed herewith.

Fees

The Commissioner is hereby authorized to charge the additional \$208 claim fees to Deposit Account No. 50-2980 maintained by The SUN Law Office PLLC. Because this response is filed within the two-month period, it is believed that there are no other fees due. However, the Commissioner is hereby authorized to charge any additional fees associated with this application or credit any overpayments to the same account hereinabove.

Respectfully submitted,



Hsiang-ning Sun
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May 12, 2004

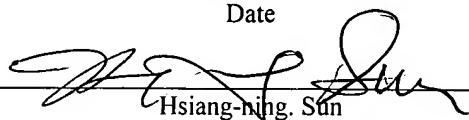
/enclosures

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as express mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

May 12, 2004

Date



ER 979800441 US

Express Mail Number